IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1585 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 11/06/2003 in WP NO : 17963 OF 2001 on the file of the High Court.)

Between:

1 Mrs. M. Jabunnisa Begum, W/o. Late Hussain Ali Beg,
R/o. D.No. 14/10, Alibaig Street, Proddatur, Cuddapah District.
2 M. Karimullah Beg, S/o. Late M. Hussain Ali Beg,
R/o. D.No. 14/10, Alibaig Street, Proddatur, Cuddapah District.
3 M. Ali Beg, S/o. Late M. Hussain Ali Beg,
R/o. D.No. 14/10, Alibaig Street, Proddatur, Cuddapah District.
4 M. Rafi Ali Beg, S/o. Late M. Hussain Ali Beg,
R/o. D.No. 14/10, Alibaig Street, Proddatur, Cuddapah District.

..... APPELLANTS

AND

1 Government of Andhra Pradesh, Rep. by its Secretary, Department of Home & Cinematography, Secretariat Buildings, Hyderabad.
2 The District Joint Collector & Licensing Authority, Under A.P. Cinemas (Regulation) Act, 1955, Cuddapah District, Cuddapah.
3 Sri M. Hyder Ali Beg, S/o. Late Pedda Ali Beg,
R/o. C/o. Anwar Talkies, Proddatur, Cuddapah District.
4 Sri. M. Ahmed Ali Beg, S/o. Late Pedda Ali Beg,
R/o. C/o. Anwar Talkies, Proddatur, Cuddapah District.
5 Sri M. Anwar Ali Beg, S/o. Late Pedda Ali Beg,
R/o. C/o. Anwar Talkies, Proddatur, Cuddapah District.

6. Sri M.Akbar Ali Beg, S/o Late Pedda Ali Beg,

R/o C/o Anwar Talkies, Proddatur, Cuddapah District.
7 Sri M. Shabbir Ali Beg, S/o. Late Pedda Ali Beg,
R/o. C/o. Anwar Talkies, Proddatur, Cuddapah District.

.....RESPONDENTS

Counsel for the Appellant:MR.P.Srinivasa Reddy
Counsel for Respondents 1 and 2: Govt. Pleader for Home
Counsel for the Respondent Nos.3 to 7: MR.G.VENUGOPAL REDDY

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Order of the Joint Collector-licensing authority, Cuddapah by which licence in B-Form was renewed in favour of respondents 3 to 7 since 1st December, 1986 subject to the conditions under Rule 12(B) and Rule 16 of the A.P. Cinematograph Rules 1970 was questioned by the appellants in the writ petition. Learned single Judge dismissed the writ petition and appeal is against the said order. Learned single Judge noticed the fact that the appellants had already filed a suit for partition and therefore, clarified that if the appellants would succeed in the suit, they may get the right to be included as successors to the property but till then they have no right whatsoever to object for transfer of licence.

Having considered the submissions made before us by the learned counsel for the appellants, we find no substance in the appeal. We find no reason to interfere with the order of the learned single Judge. We dismiss the appeal by making an observation that the transfer of licence in favour of respondents 3 to 7 pursuant to the order dated 6-1-1999 will abide by the result of the partition suit stated to have been filed by the appellants.

Ordered accordingly.

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DEVINDER GUPTA, CJ

28-10-2004

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C.V.RAMULU, J

To

1 The Secretary, Government of Andhra Pradesh, Department of Home & Cinematography, Secretariat Buildings, Hyderabad.
2 The District Joint Collector & Licensing Authority, Under A.P. Cinemas (Regulation) Act, 1955, Cuddapah District, Cuddapah.
3 Sri M. Hyder Ali Beg, S/o. Late Pedda Ali Beg,
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7 Sri M. Shabbir Ali Beg, S/o. Late Pedda Ali Beg,
R/o. C/o. Anwar Talkies, Proddatur, Cuddapah District.

8 2 CCs to the Govt. Pleader for Home, High Court Buildings,

Hyderabad.

9 2 CD copies.